

STATE WYOMING
DATE REGISTERED 03/06/03
SPECIFIC SPECIAL LOCAL NEED _____

SLN NO. WY 970004
90-DAY DATE 06/06/03
SITE: _____
PEST/PROBLEM: _____

1. Is the State certified to issue this type of registration? Y
2. Was the EPA Application/Notification Form submitted? Y
3. Was all the required information included on the form? Y
4. Was a confidential formula submitted (for new products)? N/A
5. Is this registration for a "CHANGED USE PATTERN"? No
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? N/A
7. Tolerances required? No Established? _____ Citation: _____
8. Full labeling being used? _____ Supplemental directions? ✓
9. Does label state "FOR DISTRIBUTION AND USE ONLY WITHIN (State)"? ✓
10. Does full label comply with 40 CFR 162.10, as follows:

- a. Product name, brand or trademark? _____
- b. Name and address of registrant? _____
- c. Net contents? _____
- d. Product registration number? _____
- e. Producing establishment number? _____
- f. Ingredient statement? _____
- g. Precautionary labeling? _____
- h. Directions for use for special local need? _____
- i. Use classification? _____

Was proper format followed? _____

11. Is supplemental directions for use labeling satisfactory? Yes
12. Was supplemental labeling compared with EPA-registered label? Yes

COMMENTS: _____

this is a renewal of WY 970004 - Restrictions/
precautions requested in 11/3/97 letter have been
incorporated into the submitted label.

1. SLN No WY 030001 2. PM 03 3. Action Code _____

4. State Issue Date

0	3	0	6	0	3
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5. Date received by EPA

0	3	0	6	0	3
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6. Date received by PM

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7. Chemical name _____

8. Chemical code _____

9. Use _____

10. Reviews requested:

	Date Sent	Due Date	Date Returned	Response Code	Response Date
HED					
EFB					
RCB					
EEB					
TB					
RD					
PM					
.S					
Precaut. Labeling					
Chemistry					
Efficacy					

11. Status _____

12. FINAL ACTIONTM Response code _____

Response date

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAY 21 2003

Mr. James W. Bigelow
Wyoming Dept. of Agriculture
2219 Carey Ave.
Cheyenne, WY 82002-0100

Subject: Registration Action Under FIFRA sec. 24(c)
Use of Capture 2EC Insecticide/Miticide on Alfalfa Grown for Seed
SLN No. WY030001
Corrected Labeling Submitted May 5, 2003

Dear Mr. Bigelow:

This will acknowledge receipt of your notification of an amended registration (i.e., corrected labeling), pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as follows:

Product:	Capture 2EC Insecticide/Miticide (EPA Reg. No. 279-3069)
EPA SLN No.:	WY030001
24(c) Registrant:	FMC Corporation Agricultural Products Group 1735 Market Street Philadelphia, PA 19103

If you have any questions regarding this matter, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,

A handwritten signature in cursive script that reads "Susan L. Stanton".

George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

586-SS

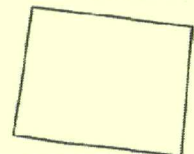
03 - Insect.
Gharara
5-15-03**RESTRICTED USE PESTICIDE**

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certificate

Capture® 2EC

Insecticide-Miticide

**EPA SLN NO.
WY-030001**

**FOR DISTRIBUTION
AND USE ONLY IN
WYOMING**

For Agricultural or Commercial Use Only
EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING**

Crop	Pest	Rate of Application
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 TO 6.4 ounces per acre (0.06 to 0.1 lb. active)

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or a minimum of 20 gallons of water per acre by ground equipment.

RESTRICTIONS:

Do not apply product when weather conditions would favor drift or run-off from a proposed treatment site into fish bearing waters.

Do not apply more than 0.3 lb. active ingredient per acre per season or make more than 3 applications/season.

Do not apply Capture 2EC or allow it to drift to blooming crops or weeds while bees are actively foraging in the treatment area. Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop.

Treated Alfalfa Seed is not to be used for sprouting. All Alfalfa Seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for Human or Animal Consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed screenings must be removed from the feed market.

Do not apply within 500 feet of water bodies containing fish or aquatic invertebrates.

Do not make aerial or ground applications during temperature inversions. See page 2 for additional spray drift precautions.

Make aerial or ground applications when the wind velocity favors on target disposition (approximately 3-10mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph. Inclusion of a compatible drift reducing agent is encouraged.

Refer to the EPA registered label for information on chemigation.

For use only on fields in production of alfalfa seed. Not for use on fields producing alfalfa for livestock feed.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED. PERSONAL PROTECTIVE EQUIPMENT AND RESTRICTED ENTRY INTERVALS ON THIS 24C OR ON THE BASIC LABEL MUST BE FOLLOWED. THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

24(c) Registrant:
FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Capture2EC_24c_WY_alfalfa_5-2-2003

FMC

Capture and a-FMC Trademarks
©2003 FMC Corporation

Capture[®] Insecticide-Miticide

SPRAY DRIFT PRECAUTIONS:

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

Use the largest droplet size consistent with good pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.

Spray should be released at the lowest height consistent with pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Risk of exposure to aquatic areas can be reduced by avoiding application when wind direction is toward the aquatic area.

Do not cultivate within 10 feet of the aquatic area so as to allow growth of a vegetative filter strip.

Low humidity and high temperature increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperature with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

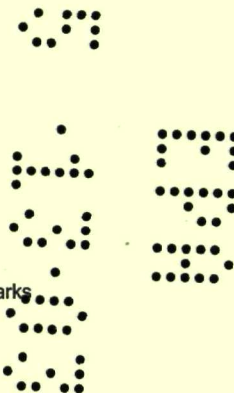
Do not apply using ultra low volume (ULV) application.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. The minimum practical boom length should be used and must not exceed 75% of wing span or rotor diameter.

FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

FMC

Capture and a-FMC Trademarks
©2003 FMC Corporation





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

APR 8 2003

Mr. James W. Bigelow
Wyoming Dept. of Agriculture
2219 Carey Ave.
Cheyenne, WY 82002-0100

Subject: Registration Action Under FIFRA sec. 24(c)
Use of Capture 2EC Insecticide/Miticide on Alfalfa Grown for Seed
SLN No. WY030001
Your Submission Dated March 6, 2003

Dear Mr. Bigelow:

This will acknowledge receipt of your notification of a registration, pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as follows:

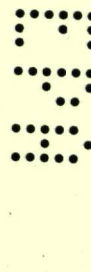
Product:	Capture 2EC Insecticide/Miticide (EPA Reg. No. 279-3069)
EPA SLN No.:	WY030001
24(c) Registrant:	FMC Corporation Agricultural Products Group 1735 Market Street Philadelphia, PA 19103

We have the following comment with respect to the labeling:

The first paragraph under "Spray Drift Precautions" on page 2 should be moved to the "Restrictions" on page 1, since the statements in this paragraph ("For use only on fields in production of alfalfa seed. Not for use on fields producing alfalfa for livestock feed.") are not relevant to spray drift.

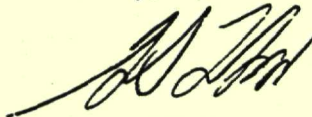
WY SLN 03-0001 corrected/revised as
NOTED. REVISED FINAL LABEL ATTACHED

James W. Bigelow
WDA
5/5/03



If you have any questions regarding this matter, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

43
53
63



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

APR 8 2003

Mr. James W. Bigelow
Wyoming Dept. of Agriculture
2219 Carey Ave.
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-2-

If you have any questions regarding this matter, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. LaRocca', written over a horizontal line.

George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)



United States Environmental Protection Agency
Office of Pesticide Programs
Registration Division (TS-767)
Washington, DC 20460

**Application for/Notification of State Registration
of a Pesticide To Meet a Special Local Need**
(Pursuant to Section 24(C) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as Amended)

For State Use Only

Registration No. Assigned
WY-03-0001

Date Registration Issued

3/6/03

1. Name and Address of Applicant for Registration

FMC Corporation
10150 N Ambassador Dr. Suite 520
Kansas City, MO 64153

2. Product Is (Check one)

EPA-Registered



EPA Registration Number

279-3069

New (not EPA-registered)

☐ Attach EPA Form 8570-4, Certified Statement of
Formula, for new products.

EPA Company Number

279

3. Active Ingredient(s) in Product

Bifenthrin

4. Product Name

Capture 2EC Insecticide/Miticide

**5. If this is a food/feed use, a tolerance or other residue clearance is required.
Cite appropriate regulations in 40 CFR Part 180, 21 CFR Part 193, and/or
21 CFR Part 561.**

**6. Type of Registration (Give details in Item 12 or on a separate
page, property identified and attached to this form):**

a. To permit use of a new product.

☒ b. To amend EPA registrations for one or more of the following purposes:

☒ (1) To permit use on additional crops or animals.

☐ (2) To permit use at additional sites.

☐ (3) To permit use against Additional pests.

☐ (4) To permit use of additional application techniques or equipment.

☐ (5) To permit use at different application rates.

☐ (6) Other (specify below)

7. Nature of Special Local Need (Check one)

a. ☒ There is no pesticide product registered by EPA for such use.

b. ☐ There is no EPA-registered pesticide product which, under the conditions of use within the
State, would be as safe and/or as efficacious for use within the terms and condition of EPA
registration

c. ☐ An appropriate EPA-registered pesticide product is not available.

**8. If this registration is an amendment to an EPA-registered product, is it for a
"changed use pattern" as defined in 40 CFR 162.3(k)?**

☐ Yes (discuss in item 12 below)

☒ No

**9. Has an EPA Registration or Experimental Use Permit for Use of this
chemical ever been: (Check applicable box(es))**

☒ Sought

☒ Issued

☐ Denied

☐ Canceled

☐ Suspended

Previous Permit Action:

☒ Registration

☐ Experimental Use Permit

☐ No Previous Permit Action

**10. Has a FIFRA Section 24(C) registration for this use of the
product ever, by another State been (Check applicable box(es))**

☒ Sought

☒ Issued

☐ Denied

☐ Revoked

If any of the above are checked, list States in item 12 below.

☐ No FIFRA Section 24(C) Action

**11. Endangered Species Act- (Give details in Item 12 or on a separate page,
properly identified and attached to this form)**

Identify the counties where this pesticide will be used. If Statewide,
indicate "all."

Provide a list of Federally protected endangered/threatened species
which occur in the areas of proposed use.

Certification

I certify that the statements I have made on this form and all
attachments thereto are true, accurate, and complete. I acknowledge
that any knowingly false or misleading statement may be punishable by
fine or imprisonment or both under applicable law.

Signature of Applicant or Authorized Representative

Don Johnson

Title

State Registration Manager

Telephone Number

(816) 801 - 5613

Date

March 4, 2003

12. Comments

(6) For the use on seed alfalfa only

**(10) California, Montana, North Dakota, Nevada,
Oregon, Utah, Washington, and Idaho**

(11) See attachment

Determination by State Agency
This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA as amended. To the best of our
knowledge, the information above is correct, except as noted in "Comments" below or in attachments.

Name, Title, and Address of State Agency Official

**JAMES W. BIGELOW
WYOMING DEPT. OF AGRIC.
2219 CAREY AVE.
CHEYENNE, WY 82002-0100**

Title

MGR. - TECHNICAL SERV. DIV.

Telephone Number

(307) - 777-6590

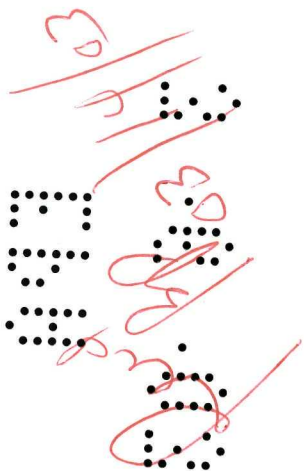
Date

3/6/03

Comments (by State Agency Only)

**RENEWAL OF
WY SLN 97-0004**

Received by EPA



RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for the uses covered by the certified applicator's certification.

EPA SLN NO.
WY-030001



FOR DISTRIBUTION
AND USE ONLY IN
WYOMING

Capture® 2EC

Insecticide-Miticide

For Agricultural or Commercial Use Only

EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING.

CROP	PEST	RATE OF APPLICATION
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or a minimum of 20 gallons of water per acre by ground equipment.

RESTRICTIONS:

Do not apply product when weather conditions would favor drift or run-off from a proposed treatment site into fish bearing waters.

Do not apply more than 0.3 lb. active ingredient per acre per season or make more than 3 applications/season.

Do not apply Capture 2EC or allow it to drift to blooming crops or weeds while bees are actively foraging in the treatment area.

Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop.

Treated Alfalfa Seed is not to be used for sprouting.

All Alfalfa Seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for Human or Animal Consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed screenings must be removed from the feed market.

Do not apply within 500 feet of water bodies containing fish or aquatic invertebrates.

Do not make aerial or ground applications during temperature inversions. See page 2 for additional spray drift precautions.

Make aerial or ground applications when the wind velocity favors on target disposition (approximately 3-10mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph. Inclusion of a compatible drift reducing agent is encouraged.

Refer to the EPA registered label for information on chemigation.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED.

PERSONAL PROTECTIVE EQUIPMENT AND RESTRICTED ENTRY INTERVALS ON THIS 24C OR ON THE BASIC LABEL MUST BE FOLLOWED.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

24(c) Registrant:
FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 1910

Page 1 of 2

Capture2EC_24c_WY_Alfalfa_3-3-2003

FMC

Capture and FMC - FMC Trademarks
©2003 FMC Corporation

SPRAY DRIFT PRECAUTIONS

For use only on fields in production of alfalfa seed. Not for use on fields producing alfalfa for livestock feed.

} not a spray drift precaution

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

Use the largest droplet size consistent with good pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.

Spray should be released at the lowest height consistent with pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Risk of exposure to aquatic areas can be reduced by avoiding application when wind direction is toward the aquatic area.

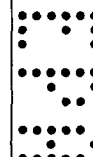
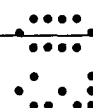
Do not cultivate within 10 feet of the aquatic area so as to allow growth of a vegetative filter strip.

Low humidity and high temperature increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperature with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

Do not apply using ultra low volume (ULV) application.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. The minimum practical boom length should be used and must not exceed 75% of wing span or rotor diameter.



Endangered Species will survive with YOUR help!

EndangeredSpecie.com

The Rarest Info Around

Endangered Species In Wyoming

Wyoming has 17 threatened and endangered plant and animal species.

Animals -- 14

<u>Status</u>	<u>Listing</u>
T	Bear, grizzly lower 48 States, except where listed as an experimental population (<i>Ursus arctos horribilis</i>)
E	Crane, whooping (except where XN) (<i>Grus americana</i>)
XN	Crane, whooping [XN] (<i>Grus americana</i>)
E	Dace, Kendall Warm Springs (<i>Rhinichthys osculus thermalis</i>)
T	Eagle, bald (lower 48 States) (<i>Haliaeetus leucocephalus</i>)
E	Ferret, black-footed (except where XN) (<i>Mustela nigripes</i>)
XN	Ferret, black-footed [XN] (<i>Mustela nigripes</i>)
T	Lynx, Canada (lower 48 States) (<i>Lynx canadensis</i>)
T	Mouse, Preble's meadow jumping (<i>Zapus hudsonius preblei</i>)
E	Pikeminnow, Colorado (except Salt and Verde R. drainages, AZ) (<i>Ptychocheilus lucius</i>)
E	Sucker, razorback (<i>Xyrauchen texanus</i>)
E	Toad, Wyoming (<i>Bufo hemiophrys baxteri</i>)
E	Wolf, gray (lower 48 States, except MN and where XN; Mexico) (<i>Canis lupus</i>)
XN	Wolf, gray [XN] (<i>Canis lupus</i>)

Plants -- 3

<u>Status</u>	<u>Listing</u>
---------------	----------------

- T Butterfly plant, Colorado (*Gaura neomexicana coloradensis*)
- E Penstemon, blowout (*Penstemon haydenii*)
- T Ladies'-tresses, Ute (*Spiranthes diluvialis*)

Home

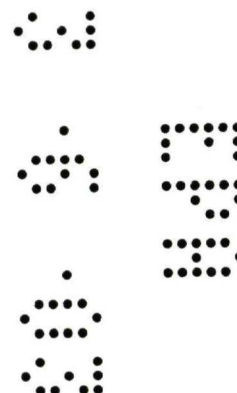
Email

EndangeredSpecie.com is dedicated to providing all the best endangered species information, links, books, and publications regarding rare and endangered species. This site also includes information about conservation efforts and endangered species organizations that are dedicated to saving and preserving the world's most endangered wildlife and plant life.

[Disclaimer](#)

© Copyright 1997-2002 by Lauren Kurpis, All rights Reserved

Endangered Species will survive with *YOUR* help!



5



Wyoming Department of Agriculture

2219 Carey Ave., Cheyenne, WY 82002 ■ Phone: 307-777-7321 ■ Fax: 307-777-6593
E-mail: wda.state.wy.us ■ Website: wyagric.state.wy.us

B
Dave Freudenthal, Governor

John Etchepare, Director

Board Members

District 1

Ken Macy

District 2

Kate Moon

District 3

Reed Gardner

District 4

Rod Smith

District 5

Matt Brown

District 6

Alan Todd


District 7

Arlene Brown

March 5, 2003

TO: U.S. EPA/OPP
Emergency Response Team (7505C)
Document Processing Desk (SLN)
Crystal Mall 2 - 2nd Floor
1921 Jefferson Davis Hwy.
Arlington, VA 22202

EPA Region VIII

FROM:  Jim Bigelow
Wyoming Department of Agriculture

SUBJECT: **24(c) Registration**

Pursuant to Section 24(c) of FIFRA the Wyoming Department of Agriculture has approved the following SLN registration:

PRODUCT Capture 2EC

EPA Regis. No. 279-3069

Registrant FMC Corp.

Wyo. SLN No(s) 03-0001

Issue Date 3/6/03 Expiration Date 3/6/08

Purpose/Remarks:

Control of Lygus Bugs, Weevils, Aphids and Spider mites on alfalfa grown for seed. Allowed as per Wyoming Applicator Certification Rules/Regs - Chapter 23, Section 12-Use of Pesticides Under Special Registration for Production of Minor Crops Grown for Seed.

Final labels will be forwarded upon receipt by Wyoming Department of Agriculture.

enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 14, 2003

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Wyoming Department of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002-0100

ATTN: James W. Bigelow Manager

SUBJECT: Receipt of New 24 ©

Dear State Agency:

The Office of Pesticide Programs acknowledges receipt of the 24© application/notification for WY030001. The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24© applications/notifications it is necessary to use the correct mailing address. All new 24© applications should be sent to the following:

Document Processing Desk (SLN)
Office of Pesticide Programs - H7504C
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703) 305-5780.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barbara Purnell".

Front End Processing Staff
Information Services Branch
Program Management and Support Division